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1 CHRISTOPHER M. MCDERMOTT (SBN 253411)
cmcdermott@aldridgepite.com
2 TODD S. GARAN (CA SBN 236878)
tgaran@aldridgepite.com
3 **ALDRIDGE PITE, LLP**
4 4375 Jutland Dr., Ste. 200
P.O. Box 19734
5 San Diego, CA 92177-9734
Telephone: (858) 750-7600
6 Facsimile: (619) 590-1385

7 Attorneys for Movant
8 THE BANK OF NEW YORK MELLON f/k/a THE
BANK OF NEW YORK as Trustee for FIRST
9 HORIZON ALTERNATIVE MORTGAGE
SECURITIES TRUST 2005-AA8; Nationstar
10 Mortgage LLC (dba Mr. Cooper)

11 **UNITED STATES BANKRUPTCY COURT**

12 **EASTERN DISTRICT OF CALIFORNIA – MODESTO DIVISION**

13 In re

14 JOHN HST YAP and IRENE LAIWAH
15 LOKE,

16 Debtors and Debtors in Possession.

Case No. 20-90210

Chapter 11

D.C. No. AP-1

17 **NOTICE OF 4001(d) MOTION TO**
18 **APPROVE STIPULATION RE:**
19 **TERIMINATION OF THE**
20 **AUTOMATIC STAY**

21 **[F.R.B.P. 4001(d)(1)]**

22 [LBR 4001-1 and 9014-1(f)(1)]

23 **Subject Property:**

24 *1032 Deena Way*
25 *Fallon, NV 89406*

26 **Hearing:**

27 Date: April 29, 2021

28 Time: 10:30 a.m.

Ctrm: 33

Place: 501 "I" Street

Sacramento, CA 95814

Judge: Hon. Ronald R. Sargis (Chief)

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TO ALL INTERESTED PARTIES:

PLEASE TAKE NOTICE that a hearing on THE BANK OF NEW YORK MELLON f/k/a THE BANK OF NEW YORK as Trustee for FIRST HORIZON ALTERNATIVE MORTGAGE SECURITIES TRUST 2005-AA8; Nationstar Mortgage LLC (dba Mr. Cooper) as servicer's ("Movant") 4001(d) Motion to Approve Stipulation Re: Relief from Automatic Stay ("Motion") will be heard in the above-captioned courtroom of the Honorable Ronald H. Sargis, located at 501 "I" Street, Sacramento, CA 95814, on April 29, 2021 at 10:030 A.M. The Motion is based on the Motion and Points and Authorities therein, the pleadings and papers on file herein, and upon such oral and documentary evidence as may be presented by the parties at the hearing.

PLEASE TAKE FURTHER NOTICE that any opposition to the granting of the Motion shall be in writing, supported by written evidence, and shall be served on Movant's counsel, Aldridge Pite, LLP, at 4375 Jutland Drive, Suite 200; P.O. Box 17933, San Diego, CA 92177-0933, and filed with the Clerk by the responding party, at the United States Bankruptcy Court, 501 "I" Street Sacramento, CA 95814, not less than fourteen (14) calendar days preceding the noticed (or continued) date of hearing.

The opposition shall specify whether the responding party consents to the Court's resolution of the disputed material factual issues pursuant to FRCivP 43(e) as made applicable by FRBP 9017. If the responding party does not so consent, the opposition shall include a separate statement identifying each disputed material factual issue. The separate statement shall enumerate discretely each of the disputed material factual issues and cite the particular portions of the record demonstrating that a factual issue is both material and in dispute. Failure to file the separate statement shall be construed as consent to resolution of the motion and all disputed material factual issues pursuant to FRCivP 43(e).

PLEASE TAKE FURTHER NOTICE that unless written opposition and supporting evidence are timely filed with the Clerk of the Court, and served on the Movant, the court may strike untimely filed written opposition and resolve the matter without oral argument or impose sanctions. Respondents or other parties may determine if the matter has been resolved without

1 oral argument or whether the court has issued a tentative ruling and can view pre-hearing
2 dispositions by checking the Court's website at www.caeb.uscourts.gov after 4:00 P.M. the day
3 before the hearing. Parties appearing telephonically must view the pre-hearing dispositions prior
4 to the hearing.

5 ALDRIDGE PITE, LLP

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7 Dated: March 24, 2021

/s/ Todd S. Garan

TODD S. GARAN

Attorneys for Movant